


1 (f), whichever is earlier. FED. R. CIV. P. 15(a)(1)(B). After the time has expired, “a party may
2 amend its pleading only with the opposing party’s written consent or the court’s leave.” FED. R.
3 CIV. P. 15(a)(2).

4 As noted above, defendants filed their motion on December 22, 2010. Plaintiffs were
5 entitled to file a first amended complaint as a matter of course by January 12, 2011. They did
6 not do so, instead waiting until January 24, 2011 to do so. Accordingly, plaintiffs’ first amended
7 complaint is untimely.

8 Based on the foregoing, plaintiffs’ first amended complaint is **STRICKEN** from the
9 record.

10 **IT IS SO ORDERED.**

11 DATED: January 26, 2011

12 
13 M. James Lorenz
United States District Court Judge

14 COPY TO:

15 HON. RUBEN B. BROOKS
16 UNITED STATES MAGISTRATE JUDGE

17 ALL PARTIES/COUNSEL
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